

IN RE: PETITION FOR ADMINISTRATIVE ZONING VARIANCE
4 MEADOWBANK COURT, 175 FT. NW of Cedar Chip Court
4 MEADOWBANK COURT
11TH ELECTION DISTRICT
14TH COUNCILMANIC DISTRICT
Frederick C. Barrett, et al.
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Frederick C. Barrett and Denise Barrett, his wife, for that property known as 4 Meadowbank Court in the Perry Hall Courts Section 2 subdivision of Baltimore County. The Petitioners herein seek a variance from Sections 1801.2.C.2.b. of the Baltimore County Zoning Regulations (B.C.Z.R.) and V.B. 6.C. of the Comprehensive Manual of Development Policy (CMDP) to permit a distance of 39 ft. between the centers of facing windows in lieu of the required 40 ft.; and Sections 504 of the B.C.Z.R. and V.B.6.b. of the CMDP to permit a distance of 12 ft. from a window to a side yard lot line, in lieu of the required 15 ft. All as more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 1801.2.C.2.b. (1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of

the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 107.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 16th day of February, 1994 that the Petition for a Zoning Variance from Sections 1801.2.C.2.b. of the Baltimore County Zoning Regulations (B.C.Z.R.) and V.B. 6.C. of the Comprehensive Manual of Development Policy (CMDP) to permit a distance of 39 ft. between the centers of facing windows in lieu of the required 40 ft.; and Sections 504 of the B.C.Z.R. and V.B.6.b. of the CMDP to permit a distance of 12 ft. from a window to a side yard lot line, in lieu of the required 15 ft., be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LES:mmn

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

-2-

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113, Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

February 8, 1994

Mr. and Mrs. Frederick C. Barrett
4 Meadowbank Court
Baltimore, Maryland 21234

RE: Petition for Administrative Zoning Variance
Case No. 94-265-A
Property: 4 Meadowbank Court

Dear Mr. and Mrs. Barrett:

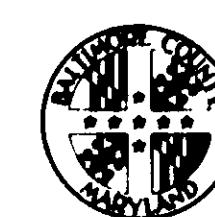
Enclosed please find the decision rendered in the above captioned case. The Petition for an Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
encl.



**Petition for Administrative Variance
to the Zoning Commissioner of Baltimore County**

for the property located at #4 MEADOWBANK COURT

94-265-A

which is presently zoned D.R. 3.5 & C.W. 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Sections 1)1801.2.C.2.b.(V.B.6.C., CMDP) TO PERMIT A DISTANCE OF 39 FEET BETWEEN THE CENTERS OF FACING WINDOWS IN LIEU OF THE REQUIRED 40 FEET AND SECTIONS 504 AND (V.B.6.b., CMDP) TO PERMIT A DISTANCE OF 12 FEET FROM A WINDOW TO A SIDE YARD LOT LINE IN LIEU OF THE REQUIRED 15 FEET.

of the Zoning Regulations of Baltimore County to the Zoning Law of Baltimore County for the following reasons (indicate hardship or practical difficulty):
ELIMINATING OUR BAY WINDOW WOULD BE COSTLY AND BOTH AESTHETICALLY AND ARCHITECTURALLY DISASTROUS TO OUR HOME.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Correct Purchaser's name	Frederick C. Barrett
Type or Print Name	Denise Barrett
Signature	Denise Barrett
Address	#4 MEADOWBANK COURT 529-4341
City	BALTIMORE MD 21234
Attorney for Petitioner	Richard E. Matz
Type or Print Name	3723 OLD COURT ROAD, STE. 206 652-3838
Signature	BALTIMORE, MD 21208
Address	
City	
State	
Zip Code	

REVIEWED BY [Signature] DATE 1/6/94
ESTIMATED POSTING DATE 1/22/94

Printed on Recycled Paper

ITEM # 270

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY 94-265-A
Towson, Maryland

District: 11th
Posted for: Variance
Date of Posting: 1/23/94
Petitioner: Frederick C. Barrett
Location of property: 4 Meadowbank Ct., 175 ft. NW of Cedar Chip Ct.
Location of Sign: Living Room, on property being zoned
Remarks: [Signature]
Posted by: [Signature]
Date of return: 1/28/94
Number of Signs: 1



**Affidavit in support of
Administrative Variance**

The undersigned hereby affirm under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) are competent to testify therein in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) do(es) presently reside at: #4 MEADOWBANK COURT

BALTIMORE MD 21234
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate variance or practical difficulty):

ELIMINATING OUR BAY WINDOW WOULD BE COSTLY AND BOTH AESTHETICALLY AND ARCHITECTURALLY DISASTROUS TO OUR HOME. OUR NEIGHBOR, MR. ROBERT CRANE, DOES NOT HAVE A PROBLEM WITH OUR WINDOW BUT WANTS THE POTENTIAL ZONING PROBLEM SOLVED.

That Affiant(s) acknowledge(s) that if a previous filed Affiant(s) will be required to pay a reporting and advertising fee and may be required to appear at a public hearing.

Frederick C. Barrett
Denise Barrett
State of Maryland, County of Baltimore, to-wit

I HEREBY CERTIFY, this 3 day of January, 1994, before me, a Notary Public of the State of Maryland in and for the County aforesaid, personally appeared

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal

1/3/94

My Commission Expires

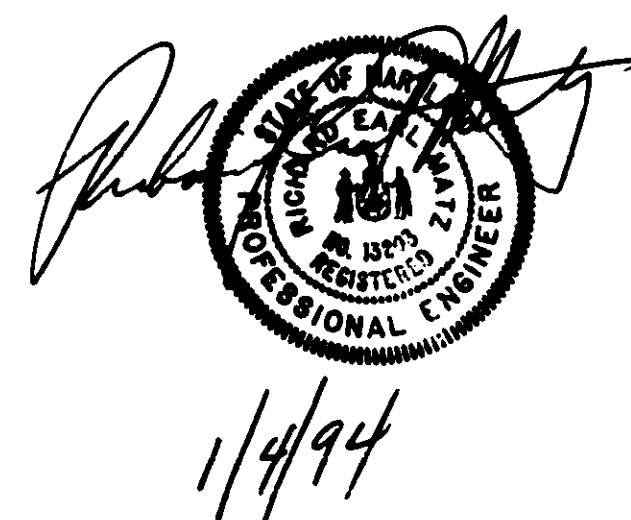
COLBERT ENGINEERING, INC.

3723 OLD COURT ROAD • SUITE 206
BALTIMORE, MARYLAND 21208
PHONE: (410) 652-3838
FAX: (410) 652-7953

ZONING DESCRIPTION

BEING AT A POINT ON THE WEST SIDE OF MEADOWBANK COURT WHICH IS 50 FEET WIDE AT A DISTANCE OF 175 FEET OF THE CENTERLINE OF CEDAR CHIP COURT 50 FEET WIDE. BEING LOT 10 IN THE SUBDIVISION OF PERRY HALL COURTS (SECTION 2) AS RECORDED IN BALTIMORE COUNTY PLAT BOOK 62 FOLIO 64 CONTAINING 15,024 SQUARE FEET OR 0.3449 ACRES. ALSO KNOWN AS LOT #4 MEADOWBANK COURT AND LOCATED IN THE 11TH ELECTION DISTRICT.

MEADOWBK. ZON



CIVIL ENGINEERS • LAND SURVEYORS

Baltimore County
Zoning Administration & Development Management
211 West Chesapeake Avenue
Towson, Maryland 21204

Account: 8-001-0100

Number: 270

By JLL

CODE 010 RES VAR FILING \$50.00
080 (1) SIGN POSTING 35.00
TOTAL 85.00

CHIEF: FREDERICK C. BARRETT
DENISE C. BARRETT
LDC: #4 MEADOWBANK CT.

094028012361CHRC

085.00

111 West Chesapeake Avenue
Towson, MD 21204

Baltimore County Government
Office of Zoning Administration
and Development Management

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 270

Petitioner: FREDERICK C. & DENISE BARRETT

Location: 4 MEADOWBANK COURT

PLEASE FORWARD ADVERTISING BILL TO:

NAME: FRED BARRETT

ADDRESS: #4 MEADOWBANK COURT

BALTIMORE, MD 21234

PHONE NUMBER: 529-4341

AJ:qgs

(Revised 04/09/93)

Item Number: 270
Planner: JLL
Date Filed: 1-16-94

PETITION PROCESSING FLAG

This petition has been accepted for filing, after an initial review, and has been placed on the agenda for the zoning advisory committee. However, the following items were found to be missing or incomplete when the petition was included on the agenda by Sophia. A copy of this "flag" will be placed in the case file for the Zoning Commission's review. The planner that accepted the petition for filing has the option of notifying the petitioner and/or attorney prior to the hearing or Zoning Commission's review of the petition regarding the items noted below. If the petitioner/attorney is contacted by the planner, it is the petitioner's ultimate decision and responsibility to make a proper application, address any zoning conflicts, and to file revised petition materials if necessary. Delays and unnecessary additional expenses may be avoided by correcting the petition to the proper form.

Need an attorney

The following information is missing:

- Descriptions, including accurate beginning point
- Actual address of property
- Zoning
- Acreage
- Plats (need 12, only 1 submitted)
- 200 scale zoning map with property outlined
- Election district
- Councilmanic district
- BCMR section information and/or wording
- Hardship/practical difficulty information
- Owner's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
- Contract purchaser's signature (need minimum 1 original signature) and/or printed name and/or address
- Signature (need minimum 1 original signature) and/or printed name and/or title of person signing for legal owner/contract purchaser
- Power of attorney or authorization for person signing for legal owner and/or contract purchaser
- Attorney's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
- Notary Public's section is incomplete ~~and/or illegible~~

PET-FLAG (TNTSOPH)
11/17/93

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: January 20, 1994

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item No. 262, 264, 265, 266, 267, 268, 273, 274, 275 and 276.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: Jeffrey W. Long

Division Chief: Gary L. Kinn

EK/JL:lw

ZAC. 262/PZONE/ZAC1

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

JANUARY 13, 1994

OFFICE OF CASE NUMBER ASSIGNMENT

TO: Frederick Barrett and Denise Barrett
4 Meadowbank Court
Baltimore, Maryland 21204

Re: CASE NUMBER: 94-265 (Item) 270
4 Meadowbank Court
475 Meadowbank Court, 175; NW of Cedar Chip Court
11th Election District - 6th Councilmanic

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact with this office regarding the status of this case should reference the case number and be directed to 887-3393. This notice also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before January 23, 1994. The closing date (February 7, 1994) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$40.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Director

cc: Richard E. Matz

Printed with Soybean Ink
on Recycled Paper



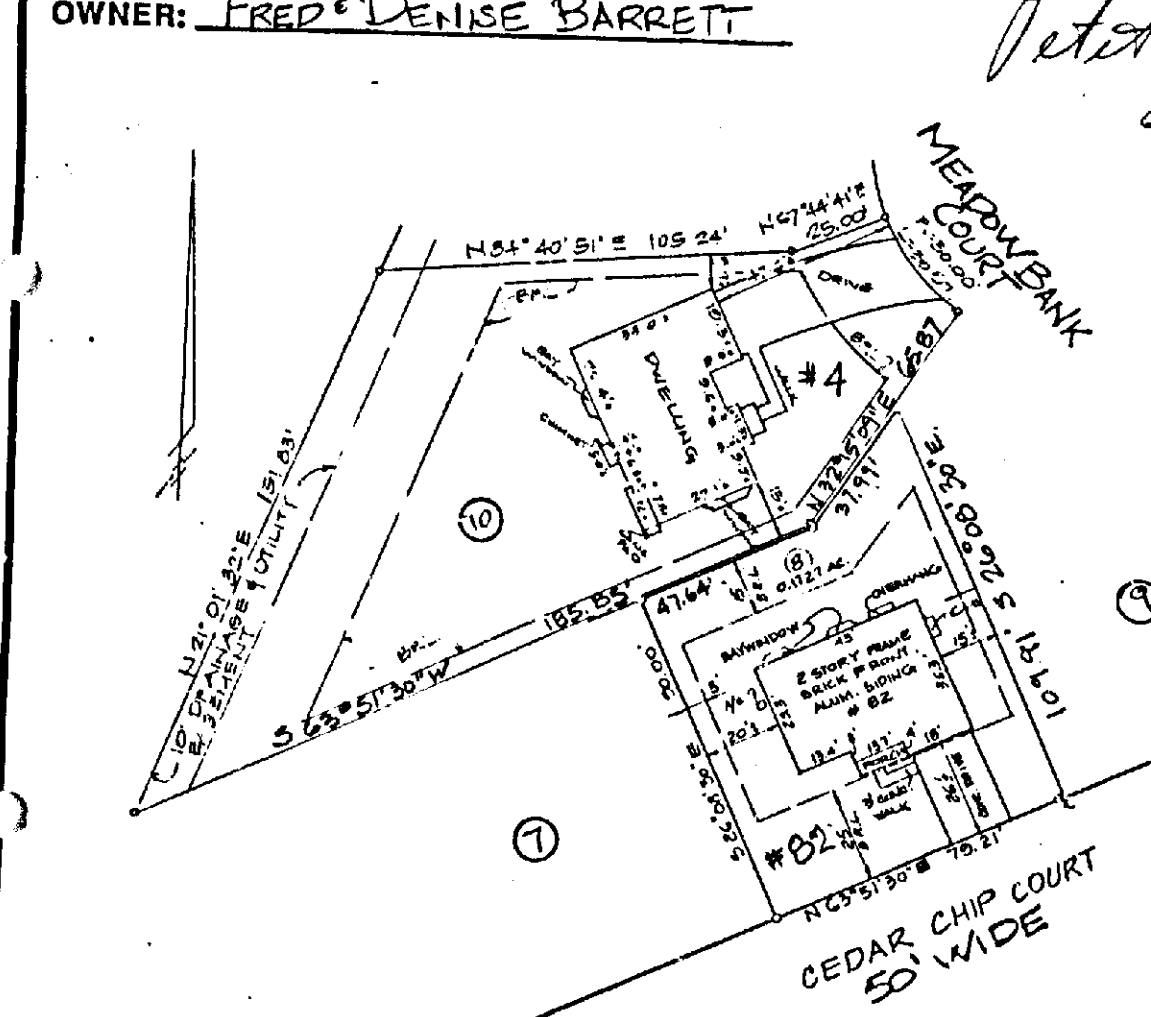
Plat to accompany Petition for Zoning Variance Special Hearing

PROPERTY ADDRESS: 4A MEADOWBANK COURT

Subdivision name: PERRY HALL COURT'S SECTION 2

Plat book: 22, folio 64, lot 10, section 2

OWNER: FRED & DENISE BARRETT

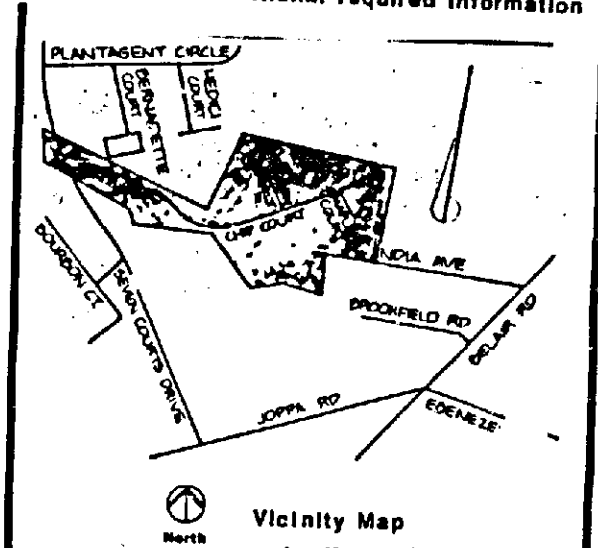


North

date: 12/21/93

prepared by: R. MATZ

Scale of Drawing: 1" = 50'



Vicinity Map
scale: 1"=1000'

LOCATION INFORMATION

Councilmanic District: 6

Election District: 11

1"=200' scale map: NE 10-G

Zoning: DR.3.5 & DR.5.5

Lot size: 22441

acres square feet

LOWER: ☐ ☐ ☐

WATER: ☐ ☐ ☐

Chesapeake Bay Critical Area: ☐ ☐ ☐

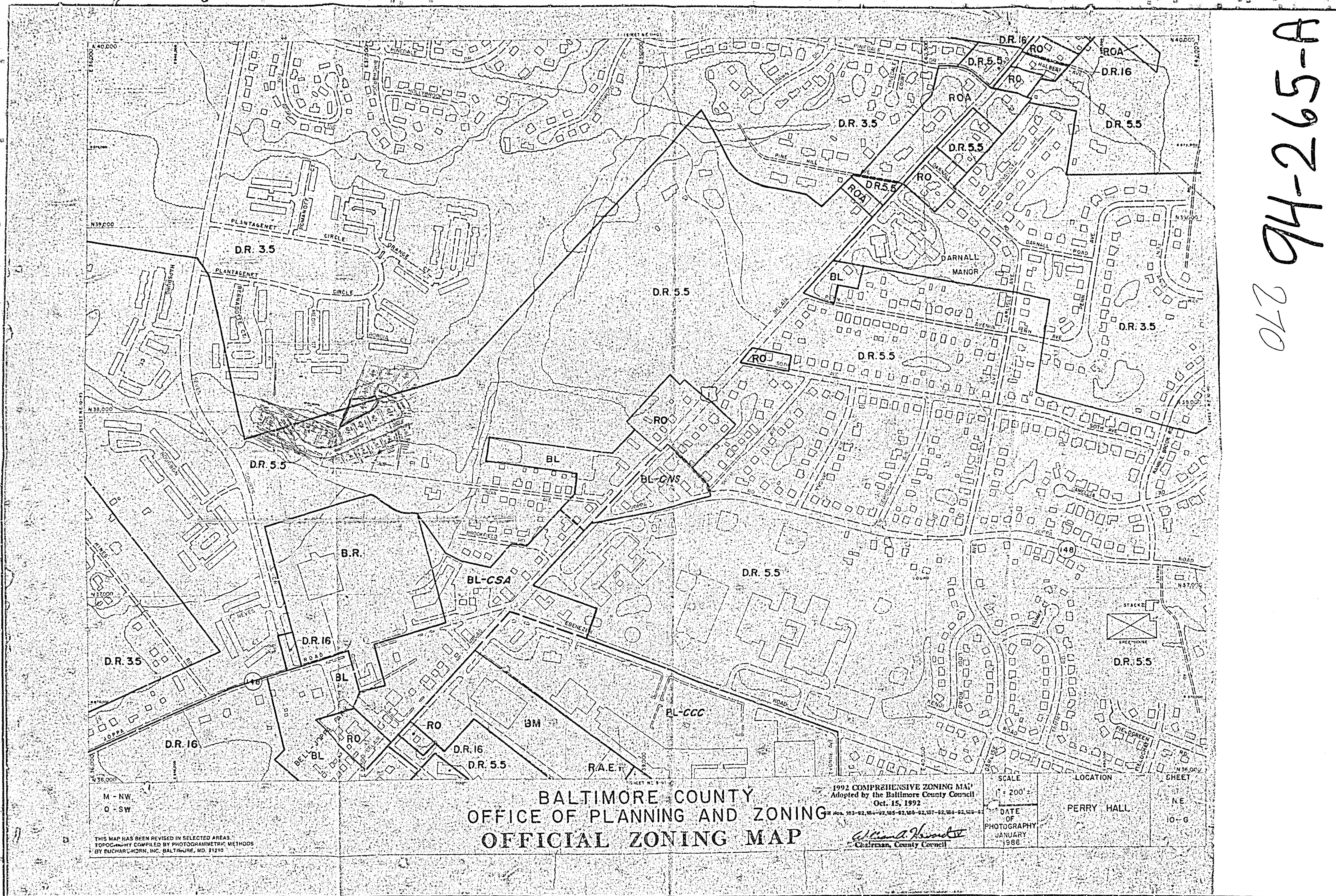
Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

revised by: ITEM #: CASE#:

270

012 94-265-A





94-265-A

270

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE	LOCATION	SHEET
1" = 200' ±	PERRY HALL	N.E.
DATE OF PHOTOGRAPHY JANUARY 1966		10-6